

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:16-CR-145
v.)	
)	
DEANGELO LEMONT DOSS,)	(VARLAN / GUYTON)
PIERRE LAMAR JORDAN, and)	
SIR TYRONE LOVE,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case came before the Court on March 7, 2017, for an arraignment on the Superseding Indictment [Doc. 30], filed on February 22, 2017. Assistant United States Attorney Cynthia F. Davidson appeared on behalf of the Government. Attorney Kimberly A. Parton appeared on behalf of Defendant Deangelo Lemont Doss. Attorney Stephen G. McGrath represented Defendant Pierre Lamar Jordan. Assistant Federal Defender Jonathan A. Moffatt represented Defendant Sir Tyrone Love. All three Defendants were also present.

Following the arraignment, Attorney Parton made an oral motion to continue the March 21, 2017 trial date. She stated that additional time was necessary in light of the new charges and the addition of two codefendants, neither of whom had yet entered the case. Mr. McGrath and Mr. Moffatt stated that Defendants Jordan and Love joined in the motion. All three defense counsel stated that their clients were waiving their speedy trial rights with regard to the oral motion. AUSA Davidson said that the Government did not object to the requested continuance. She stated

that Defendant Young was being transported to the district on a writ and that Defendant Lambert remained a fugitive. The parties agreed on a new trial date of August 15, 2017.

The Court finds the joint oral motion for a continuance to be unopposed and well-taken and that the ends of justice served by granting a continuance outweigh the interest of the Defendants and the public in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Superseding Indictment charges the Defendants with a Hobbs Act robbery and with brandishing firearms in furtherance of that robbery. The new Indictment adds two codefendants. Defense counsel need time to review discovery, to interview witnesses, to investigate the case, and to prepare for trial. Moreover, the two newly-indicted codefendants need time to appear in the case and to obtain counsel. In light of the recent Superseding Indictment, the Court finds that the Defendants could not be ready for trial by March 21, 2017, or in less than five months. Thus, the Court finds that the failure to grant a continuance would deprive defense counsel of the reasonable time necessary to prepare for trial despite their use of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

Accordingly, the Defendants' joint oral motion to continue the March 21, 2017 trial date is **GRANTED**. The trial of this matter is reset to **August 15, 2017**. The Court also finds that all the time between the **March 7, 2017** hearing, and the new trial date of **August 15, 2017**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein. See 18 U.S.C. § 3161(h)(7)(A)-(B). The Court did not set a new motion deadline at this time. If any of these Defendants desire to file a motion, he must file a motion for leave to file the motion out of time, attaching a copy of the desired motion. The parties are to appear before the undersigned for a pretrial conference on **August 1, 2017, at 11:00 a.m.** This date shall also be the deadline for concluding plea negotiations and providing reciprocal discovery. The Court instructs the parties that all motions *in limine* must be filed no later than **July 31, 2017**. Special requests for jury

instructions shall be submitted to the District Judge no later than **August 4, 2017**, and shall be supported by citations to authority pursuant to Local Rule 7.4.

Accordingly, it is **ORDERED**:

(1) The Defendants' joint, oral motion to continue the trial is **GRANTED**;

(2) The trial of this matter is reset to commence on **August 15, 2017, at 9:00 a.m.**, before the Honorable Thomas A. Varlan, Chief United States District Judge;

(3) All time between the hearing on **March 7, 2017**, and the new trial date of **August 15, 2017**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;

(4) Motions *in limine* must be filed no later than **July 31, 2017**;

(5) A pretrial conference before the undersigned is set for **August 1, 2017, at 11:00 a.m.** This date is also the deadline for concluding plea negotiations and providing reciprocal discovery; and

(6) Special requests for jury instructions with appropriate citations shall be submitted to the District Court by **August 4, 2017**.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge